



COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE: Zoning

APPLICANT'S GUIDE TO MAJOR USE PERMITS/ MODIFICATIONS/MINOR DEVIATIONS

Please use this Applicant's Guide to determine whether your application is complete before you bring it in for filing. Please review the following sections to determine which forms required to be submitted in Hardcopy Form.

PURPOSE OF A USE PERMIT

The intent and purpose of a Major Use Permit is to provide for the accommodation of land uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and where necessary, the imposition of special conditions of approval. Most County zoning designations include a list of land uses that require approval of a Major Use Permit.

PROCESS

Please review MUP coversheet for Electronic Submittal requirements:

A Major Pre-Application conference is required to process a Major Use Permit (this requirement is waived for Cell-Sites). Once the Major Pre-Application Meeting has been completed, please call DPLU Zoning Information Counter Staff (858) 694-2262 to schedule an appointment to submit the Major Use Permit Package. An appointment is **required** to submit the Major Use Permit.

The Major Use Permit submittal typically includes a complete plot plan, architectural elevations, conceptual landscaping, grading plans, an environmental initial study, and a storm water management report. Please review the following sections to determine which forms required to be submitted in Hardcopy Form. These submittal documents are sent to the applicable County Community Planning Group and Design Review Board (if any) and to affected Public Agencies for review and comment. A County of San Diego Land Use Planner will review the submittal and issue a Scoping Letter outlining project issues and requirements. The Scoping Letter will be sent to the applicant within 30 days of application submittal. When project issues and environmental requirements addressed have been resolved, a public hearing is advertised and held. Property owners within 300 feet of the project site are notified of these hearings.

The granting or denial of Major Use Permits is under the original jurisdiction of the County Planning Commission. Approved Major Use Permits have conditions that must be completed by the applicant prior to obtaining a building permit and/or to project occupancy or usage. Amendment of existing Major Use Permits is done by processing either a Use Permit Modification application, or, if it is a minor change to the approved plot plans only (a change of 10% or less), a Minor Deviation.

DPLU-313 (07/10)

REQUIRED FINDINGS

In accordance with Section 7358, of the Zoning Ordinance, before any use permit (except those filed pursuant to Regional Land Policy 3.8) may be granted or modified, the granting authority **must** make favorable findings concerning the following factors. You should keep these findings in mind when you are completing the application and preparing your plot plans.

1. **Harmony in scale, bulk, coverage and density.** Describe the physical character of the project and its harmony with zoning regulations and adjacent property.
2. **Availability of public facilities, services and utilities.** Describe the adequacy of facilities, services and utilities to serve the project. If applicable, include school, fire, police, water, sanitation and electricity/gas.
3. **The harmful effect, if any, upon desirable neighborhood character.** This finding should describe the surrounding area and the impact of the proposal. This finding may include any benefits of the proposal and any mitigating measures such as buffering.
4. **The generation of traffic and the capacity and physical character of surrounding streets.** Describe the adequacy of the streets in relation to the proposal. List and describe the surrounding streets including the number of lanes.
5. **The suitability of the site for the type and intensity of use or development which is proposed.** Describe the physical characteristics of the site (e.g. level with adequate drainage) and the suitability of the proposal for this particular site.
6. **Project findings 1 through 5 and the project location will be consistent with the San Diego County General Plan.** Describe how the project's impacts with regard to findings 1 through 5, and the specific site, will be consistent with the County General Plan.
7. **The requirements of the California Environmental Quality Act (CEQA) have been complied with.** This finding should describe how the project will be in compliance with the requirements of the Environmental Quality Act.

MORATORIA

Your project may be affected by moratoria or other limitations. As moratoria are subject to change prior to filing an application, consult the Department of Planning and Land Use for current restrictions. Consult the Department of Environmental Health (858) 565-5173 to learn if there are any sewage disposal or other health problems.

DOCUMENTS

- ☐ **Discretionary Permit Application Form (DPLU #346).** Complete the front of this form. The back of this form will be completed at the time of submittal.
- ☐ **Supplemental Application Form (DPLU #346S).** The purpose of this supplement is to provide a thorough description of the proposed use. This part of the application is very important because it provides information which is used in the analysis of the project and preparation of recommendations and conditions of the permit. All relevant information should be described including the purpose, capacity, hours of operation, number and area of buildings, number of parking spaces, signs, phasing and access. If the application requests Variances you should list these Variances with reasons. Please use extra sheets if necessary.

If this application is a modification of an existing permit, you should describe the existing operation, the modification and give reasons for the modification.

- ☐ **Threshold decision on Board of Supervisors Policy 3.8 (DPLU #433).** Supplemental application to establish procedural guidelines for authorization of the processing of a Major Use Permit pursuant to Zoning Ordinance Section 7354 for mobilehomes/manufactured homes. This policy allows low and moderate income housing by permitting higher residential densities than are normally permitted by the General Plan. Please refer to DPLU #433 for additional information.

- ☐ **Environmental Documents**
Four copies of Application for Environmental Initial Study (AEIS) (DPLU #367), including all the information/documents required on cover sheet of AEIS.

OR

A letter requesting a determination that the previously certified Negative Declaration (ND) or EIR adequately covers the project (see DPLU #366).

OR

If the project is categorically exempt from environmental review pursuant to State Guidelines for implementation of the California Environmental Quality Act (CEQA), no environmental documentation is needed.

- ☐ **Resource Protection Ordinance.** A Resource Protection Ordinance Study is required to determine if sensitive lands are located on the property and whether the Resource Protection Regulations should be applied. Please refer to DPLU #374 AND #394 for additional information. (Not required for Wireless facilities at time of application)
- ☐ **Evidence of legal parcel (DPLU #320).** See Policy G.3. Top half must be completed and signed.
- ☐ **Disclosure Statement (DPLU #305).** Must be completed, signed and dated.
- ☐ **Agent Authorization (if applicable).** A signed letter authorizing the applicant to apply for the permit is necessary if the applicant is not the owner(s). See Section 7354 of The Zoning Ordinance.

- ☐ **Service Availability Letters.** Applicant should complete top portion of these forms and the agencies should complete the bottom. Some of these service availability letters would not apply in certain applications. If you are uncertain, please contact the Zoning Information Counter for further information (565-5981).
- ☐ **School Service Letter(s)** (DPLU #399SC). Must be completed and signed by each school district (elementary and high school).
- ☐ **Sewer Service Letter** (DPLU #399S). Must be completed and signed by the district or public agency which would provide sewer service for the project.
- ☐ **Water Service Letter** (DPLU #399W). Must be completed and signed by the district or public agency which would provide water service for the project.
- ☐ **Fire Service Letter** (DPLU #399F). Must be completed and signed by the district or public agency which would provide fire protection service for the project.
- ☐ **Public Notice** (DPLU #514), 515, 516, 524). This Department must notify all property owners within 300 feet of the subject property and a minimum of 20 different property owners (Board Policy I-49). In order to complete the notification the following must be submitted with the application – refer to DPLU #516 for detailed instructions:
 - ☐ a. Separate sheets (11" x 17") of the San Diego Assessor's map(s) showing the entire property outlined in red with a green line encircling the property at a distance of 300 feet from the property line. Each parcel lying wholly or in part within the 300 feet shall have its number colored yellow with a "highlighter" pen or colored pencil. Assessor's maps must be 11" x 17" (full size) at true scale **and not reduced**.
 - ☐ b. A typed list of all affected property owner's parcels highlighted in yellow as above; by Assessor's Parcel Number with names and address. Minimum of **20 different property owners**. The addresses must be the property owner and not the leaser or renter.
 - ☐ c. One set of gummed labels on 8½" x 11" sheets containing the names and addresses of all property owners. These labels are necessary for a possible appeal. The names on these labels must match names on the typed list.
 - ☐ d. One set of stamped (no postage meter allowed), and addressed (typed) plain (no letterhead) envelopes (4¼" x 9½" business size) for each property owner on the list. If a property owner has several parcels, you need only submit one envelope. No enclosed business cards are allowed. The Department of Planning and Land Use will provide the return address at intake.
- ☐ **Complete Public Notice Certification** (DPLU #514). This form, signed by the applicant, certifies that the names and addresses submitted with the public notice package are from the latest adopted San Diego Assessor's Tax Roll. You should be aware that if any of this information is incorrect, the processing may be delayed.

- ☐ **Supplemental Public Notice.** Board of Supervisors Policy I-49, Item 2, pertains to the notification of apartment buildings and mobilehome parks. Comply with the requirements listed in the **Supplemental Public Notice Procedure** (DPLU #298) and submit a completed **Supplemental Public Notice Certification** (DPLU #299).
- ☐ **Vicinity Map and Project Summary** (DPLU #524). Must be completed and a vicinity map prepared according to the instructions on the form.
- ☐ **Hazardous Waste and/or Substance Site Verification Form** (DPLU #580). Please consult the San Diego County list of hazardous waste and/or Substance Sites compiled by the State of California. The list is available at the DPLU Zoning Counter.
- ☐ **Posting of Notices** (DPLU #298). Applicants should use the guidelines provided when posting Notices of Permit Applications. Failure to post or comply with the guidelines may result in delays of processing your project.
- ☐ **Acknowledgment of Filing Fees and Deposits** (DPLU #126). Applicant should sign the back of the application to acknowledge that additional deposits may be required after the initial deposit. This assists the County in seeking full recovery of the processing costs (Board of Supervisors Policy B-29).
- ☐ **Stormwater Management Plan.** Two (2) copies of a Stormwater Management Plan. (Refer to Stormwater Management Plan Requirements handout for further information.)
- ☐ **Notice to Applicants for Site Plans, Variances, Administrative Permits and Use Permits** (DPLU #581).
- ☐ **Plot Plan.** All plot plans should contain sufficient information to describe the project. The following is a list of information pertinent to a Major Use Permit plot plan. All of this information may not be pertinent to every proposal, but where applicable it should be included. (One (1) additional Plot Plan for wireless facilities in addition to those required above. See pages 8 and 9 for other requirements.)
- ☐ **Number of copies** – see coversheet of application. (One additional plot plan required for Wireless facilities. See Page 8 for other requirements)
- ☐ **Size** – Plot plans must be folded to an 8½" x 11" size with the lower right hand corner exposed. Multiple sheets must be stapled into sets.
- ☐ **Legibility** – The plot plan must be legible. Faded prints or excessively dark prints that are difficult to read or reproduce clearly are not acceptable.
- ☐ **North Arrow/Scale** – A north arrow is necessary to establish the direction. An engineer's scale is required (e.g., 1 inch = 20 feet) on all plot plans.
- ☐ **Assessor's Number** – Include the Assessor's Book, page and parcel number on the plot plan.
- ☐ **Dimensions** – Show the following dimensions: Exterior property lines, width of roads and easements, size of structures, setbacks from property lines and

centerlines to existing and/or proposed structures, distances between detached structures, parking areas and driveways.

- ☐ **Elevations** – Complete architectural elevations of all sides of the building(s) are required. Indicate structure heights/dimensions and whether existing or proposed. All finish materials must be indicated on the drawing. Elevations should be shown on a separate drawing.
- ☐ **Structures** – Show all existing and proposed structures and their dimensions and floor area, including buildings, sheds, storage areas and recreation facilities such as swimming pools and playgrounds. Indicate number of stories of buildings. Indicate if structures are existing or proposed. Label buildings and open area as to their use. Show fences, wall trash enclosures or dumpster locations. Indicate heights where applicable.
- ☐ **Pedestrian and Vehicular Circulation and Parking** – Show walkways, driveways, entrances, exits and parking lot areas with all dimensions. Label handicapped parking. Show contiguous streets with centerlines and all easements. Show parking for service and delivery vehicles and loading and unloading areas.
- ☐ **Drainage** – Indicate any natural drainage (including streams) and any proposed drainage systems. Show the slopes of the property and any proposed grading.
- ☐ **Existing Natural Features** – Indicate trees with over 6" trunk diameter, streams, rock outcroppings, location of flood zones. Extensive natural features may be shown on a separate drawing.
- ☐ **Landscape Areas** – Areas suitable for landscaping and areas of required landscaping must be shown. Include the size and species of both existing and proposed plantings. Indicate any removal of existing trees. Extensive landscaping information may be shown on a separate drawing.
- ☐ **Buffering and Screening** – Show areas to be screened and materials for screening.
- ☐ **Signs** – Show all existing signs to remain and proposed signs. Include elevation drawings with area and height dimensions and construction materials indicated and the proposed method of illumination.
- ☐ **Lighting** – Show locations and types of all project lighting.
- ☐ **Utilities** – Show utility lines and easements.
- ☐ **Grading** – A preliminary grading plan must be filed with a Major Use Permit conforming to all requirements of Section 87.203 of the San Diego County Code of Regulatory Ordinances, except that it shall not be required to show the estimated grading starting and completion dates. The level of detail required may be less than would be required for actual construction, but shall be sufficient to permit analysis of all on-site and off-site environmental impacts and mitigation measures. (See Section 7354 of the San Diego County Zoning Ordinance)

- ☐ The preliminary grading plan shall be on a separate sheet and cannot be incorporated into the plot plan for the project.
- ☐ **Fencing** – Show existing and proposed fencing including heights and materials.
- ☐ **Phasing** – Indicate any phasing of the project. Phasing is particularly useful in large multi-structured projects such as churches. This may reduce the need for future permit modification to accommodate projected growth.

NOTE: It is important to note that, if approved, the Use Permit Plot plan will dictate the development of the property. Anything shown on the building permit application that is not shown on the approved Use Permit Plot Plan will not be allowed. Changes to the Use Permit after approval requires a Modification or Minor Deviation of the Use Permit.

ADDITIONAL MAJOR USE PERMIT REQUIREMENTS FOR THE UPPER SAN DIEGO RIVER IMPROVEMENT PROJECT (USD RIP) AREA OF LAKESIDE

The RiverWay Specific Plan (USD RIP) contains requirements that are specific to each of its twenty (20) Planning Areas. Refer to your particular Planning Area for those requirements. See the RiverWay Specific Plan, available from the Cashier.

- ☐ **Plot Plan** – Twenty-eight (28) blue lines or black lines of each page of the plot plan.
- ☐ **Prohibited Uses** – The zoning for USD RIP consists of modified M52, M54, C36 and residential zones. Some uses generally allowed in those zones are prohibited. Each Planning Area has a list of prohibited uses. Please check the list prior to submitting an application in order to ensure the proposed use is allowed. Gas stations, dry cleaning establishments, off-premise signs and the importation, storage and processing of hazardous or toxic waste are prohibited in all Planning Areas.
- ☐ **Best Management Practices (BMPs)** – BMPs are required for all commercial and industrial development. See Page 34 of the RiverWay Specific Plan. Show all structural BMPs on the plot plan and include a technical discussion stating why the Practices were selected, how they will work and how mechanical BMPs will be maintained.
- ☐ **Landscaping/Screening** – specific screening requirements are found in some USD RIP Planning Areas. Show all proposed landscaping and screening on the plot plan.
- ☐ **Open Storage/Accessory Parking** – Open storage and accessory parking (delivery trucks, etc., not employee or customer parking) are restricted in some Planning Areas. Show all proposed open storage and accessory parking areas as well as all screening techniques on the plot plan.
- ☐ **Planning Buffers** – Parcels fronting on the river are required to have planning buffers, generally measuring 50 feet from the top of the riverbank slope. Show any required planning buffers and conceptual landscaping on the plot plan.

- ☐ **Trails** – Trail dedication and construction may be required. See Figure 13 in the RiverWay Specific Plan for the USDRIP trail alignment. If the project site includes a trail, show the trail on the plot plan, indicated as “Easement for Pedestrian and Equestrian Use”.

NOTE: ONLY THE CULTURAL RESOURCES SECTION OF THE RESOURCE PROTECTION ORDINANCE APPLIES TO THE USDRIP AREA

MINOR DEVIATION

The intent of a Minor Deviation is to allow for convenience in the changing of plot plans for Major Use Permits by allowing staff, acting for the Director of Planning, to make changes through an administrative procedure which takes less time and money than a Modification which requires a public hearing. The maximum allowed change in a Minor Deviation is an increase or decrease of 10% in area or height in relation to any building, yard, open space, work area or parking. To grant a Minor Deviation, a finding must be made that the Deviation: 1) does not constitute a substantial change to the Use Permit, and 2) will not adversely affect adjacent properties. See Section 7609 of The Zoning Ordinance for details. You should be aware that any decision to approve or disapprove a Minor Deviation is final and cannot be appealed. Applicants are advised to confer with staff prior to submittal of any Minor Deviation.

Materials required for a Minor Deviation are:

- ☐ **Application** (DPLU 346 & 346S). Be sure to include the permit number and describe the intent of the Minor Deviation on DPLU #346S.
- ☐ **Plot Plans.** Six (6) copies for Major Use Permits. Your plot plans should clearly show the proposed change(s). It is often helpful to show both the existing plan and the proposed changes by the use of dashed or dotted lines.
- ☐ **Applicable Fees.** Please refer to DPLU #369 for appropriate fees.
- ☐ **Stormwater Management Plan.** Two copies of a Stormwater Management Plan
- ☐ **A request for a Minor Deviation to a Major Use Permit for a planned residential development** must either be filed by the Homeowners Association or include authorization to file from the Homeowners Association.

MORE INFORMATION

You may visit or call the DPLU Zoning Information Counter at (858) 565-5981. Zoning Ordinance regulations about Major Use Permits, and application forms, are available at the DPLU website: (<http://www.sdcounty.ca.gov/dplu/>).

ADDITIONAL MAJOR USE PERMIT REQUIREMENTS FOR WIRELESS FACILITIES

- ☐ **PLOT PLAN** – One additional plot plan. In addition to the requirements for Major Use Permits, all plot plans shall show:

- ☐ The height of the facility with evidence that the proposed facility is designed to the minimum height required. If the tower will exceed the maximum permitted height limit as measured from grade, include a discussion in the required report of the physical constraints (topographic features, etc.) making the additional height necessary.
- ☐ The lease area of the proposed facility clearly identified.
- ☐ If the facility frequency is 1,200 megahertz or less submit a copy of the Federal Communications Commission Licensing Application Form 601, Main Form, Pages 1 through 4, Schedule A, Page 1, Schedule D, Page 1 and Schedule H, Pages 1 through 3.
- ☐ Three (3) copies of a Geographic Service Area map identifying the geographic service area for the subject installation and the applicant's existing sites in the local service network associated with the gap the facility is meant to close and a description of how this service area fits into and is necessary for the company's service network.
- ☐ Three (3) copies of a Visual Impact Analysis showing the maximum silhouette, viewshed analysis, color and finish palette and proposed screening, photo simulations and a map depicting where the photos were taken.
- ☐ If applicable (see Sections 6986.A and B of the Zoning Ordinance); If the proposed facility is not in a preferred zone and is not in a preferred location the applicant shall provide an Alternate Site Analysis for all preferred sites that could potentially serve the same area as the proposed site. This Alternate Site Analysis must include a discussion regarding the approved cell sites within the area to demonstrate why collocation was not a feasible option for the proposed project. Furthermore, it must also include a discussion of preferred zones and preferred locations. Preferred zones shall include all commercial and industrial zoned properties within the search ring and properties within an approved Wireless Community Master Plan.
- ☐ Three (3) copies of a Concept Landscape Plan showing all proposed landscaping, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the site.
- ☐ If located in a County Park, a letter of concurrence with the application from the Director, Department of Parks and Recreation.
- ☐ A letter stating the applicant's willingness to allow other carriers to co-locate wherever technologically and economically feasible and aesthetically desirable.
- ☐ Three (3) copies of a report containing the following:
 - ☐ Description of anticipated maintenance and monitoring program.
 - ☐ Manufacturer's specifications for all noise generating equipment and a depiction of the equipment location in relation to adjoining properties.

- ☐ If not in a preferred zone or preferred location as identified in Section 6986, provide a map of the geographical area and a discussion of preferred sites that could serve the same area as the proposed site and a description of why each preferred site is not technologically or legally feasible.
- ☐ Listing of hazardous materials to be used on-site.
- ☐ If high visibility facility, the value of the proposed facility.
- ☐ If accessed via private road easement, proof of access to a publicly maintained road for the purpose of the cell facility must be provided.
- ☐ If being proposed on a parcel of land with an existing SFD or other structure being serviced by a septic system (not connected to a sewer district), a copy of the certified As-Built plans must be provided.